

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 31-45 are now in the application. All of the prior claims have been canceled and replaced with the new claims. Support for the new claims is found, mostly verbatim, in the original claims 1-14 and the later-added claims 15-30. In addition, the changes in claim 31 are primarily supported on page 7, lines 2-3, of the translated specification.

Election

In light of the earlier election of the species of Fig. 2, the Examiner is requested to once more withdraw claims 35-45 and to prosecute claims 31-34 at this time. Claim 31 is generic. On concluding the examination of claims 31-34 and indicating the allowance of claim 31, the Examiner is requested to reintroduce and consider the withdrawn claims as well.

Claim Rejections - 35 U.S.C. § 103

We now turn to the art rejections of the earlier claims. Notably, claims 15 - 17 had been rejected as being obvious over Fulterer (US 6,199,966) in view of Cirocco (US 5,951,132) under 35 U.S.C. § 103. We respectfully submit that the revised claims are patentable over the art of record.

Claim 31 now emphasizes the dual functionality of the adjustment screws, in structural terms. The adjustment screws are used to (1) lock the frame to the lower

rail and to (2) adjust the vertical position of the frame by adjusting the distance between the lower rail and the lower segment of the frame.

Fulterer's bolt 15 is provided to set a vertical position of the frame (relative to the lower rail). The frame "floats" on the bolt head, as it were. The bolt does not and cannot lock the frame to the rail.

The Examiner's statement that mere duplication of elements (without additional functionality or criticality) cannot support patentability is well taken.

Also, the Examiner's use of the secondary reference Cirocco to show the locking latch is well taken. The secondary reference, however, does not make up for the short-comings of Fulterer, as explained above. The locking latch of Cirocco does not translationally (i.e., vertically) "lock" a screw head to a frame so that turning of the screw would adjust a distance of the frame from another structure (i.e., a lower rail).

In summary, none of the references, whether taken alone or in any combination, either show or suggest the features of claim 31. Claim 31 is, therefore, patentable over the art and since all of the dependent claims are ultimately dependent on claim 31, they are patentable as well.

In view of the foregoing, reconsideration and the allowance of claims 31-45 are solicited.

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Petition for extension is herewith made. The extension fee for response within a period of one month pursuant to Section 1.136(a) in the amount of \$130.00 in accordance with Section 1.17 is enclosed herewith.

Respectfully submitted,

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WHS:ab

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